

**RULES
OF
TENNESSEE DEPARTMENT OF HUMAN SERVICES
FAMILY ASSISTANCE DIVISION**

**CHAPTER 1240-1-49
FAMILIES FIRST WORK REQUIREMENTS**

TABLE OF CONTENTS

1240-1-49-.01	Families First Work Requirements	1240-1-49-.05	Appeals and Hearings
1240-1-49-.02	Exemption Determination	1240-1-49-.06	Voluntary Quit
1240-1-49-.03	Families First Work Requirements Provisions	1240-1-49-.07	Strikers
1240-1-49-.04	Failure to Comply, Conciliation, Good Cause, and Sanctions	1240-1-49-.08	Reversed for Future Use
		1240-1-49-.09	Diversion Program for Families with a One Time Financial Need

1240-1-49-.01 FAMILIES FIRST WORK REQUIREMENTS.

- (1) The Department of Human Services administers the Families First Program directly and through contractual arrangements with other entities to provide or arrange for employment, training, education, and support services for Families First recipients. All Families First adult recipients in the AG must participate in the Families First work requirements unless they are exempt from this requirement.

Authority: T.C.A. §§4-5-201 *et seq.*, 4-5-202, 4-5-209, 71-1-105, 71-3-152, 71-3-153 and 71-3-154; 71-3-158(d)(2)(D); 42 U.S.C. §§ 601 *et seq.*, 42 U.S.C. § 602, 42 U.S.C. § 607(c), (d) and (e), 42 U.S.C. § 608 and 42 U.S.C. § 609; Public Acts of 1996, Chapter 950, and 45 CFR 250., 45 C.F.R. § 260.30, 45 C.F.R. § 260.31, 45 C.F.R. § 261.2, 45 C.F.R. § 261.10, 45 C.F.R. § 261.30, 45 C.F.R. § 261.31, and 45 C.F.R. § 261.32; Deficit Reduction Act 2005 (Pub. L. 109-171 §§ 7101 and 7102, February 8, 2006); 71 Federal Register 37454 (June 29, 2006); and Acts 2007, Chapter 31. **Administrative History:** Original rule filed December 2, 1996; effective February 15, 1997. Public Necessity rule filed July 2, 2007; expired December 14, 2007. Amendment filed October 1, 2007; effective December 15, 2007.

1240-1-49-.02 EXEMPTION DETERMINATION. The following adults are exempt from participation in the Families First Work Requirements, but may volunteer to participate if they are an eligible member of the Assistance Group:

- (1) Reserved for future use.
- (2) Reserved for future use.
- (3) An individual who is disabled.
 - (a) An individual who has been approved for Social Security Disability or Supplemental Security Income on the basis of his/her disability, Veterans benefits on the basis of his/her one hundred percent (100%) disability, or Black Lung benefits based on his/her disability, is exempt from the Families First work requirements.
- (4) An individual who has been determined to be incapacitated.
 - (a) Incapacity is deemed to exist when one parent has a physical or mental defect, illness or impairment. The defect, illness or impairment must be:
 1. Supported by competent medical testimony;

(Rule 1240-1-49-.02, continued)

2. Of such a debilitating nature as to reduce substantially, or eliminate the parent's ability to support or care for the child(ren); and
 3. Expected to last for a period of at least thirty (30) days.
- (b) Incapacity shall be determined by:
 1. Reserved for future use.
 2. Reserved for future use.
 3. Reserved for future use.
 4. Reserved for future use.
 5. The Department's Medical Evaluation Unit (MEU). All claims of incapacity must be forwarded to the Medical Evaluation Unit (MEU) for review.
- (c) Review/Redetermination of Incapacity. Incapacity status must be reviewed at each twelve month case review. Individuals who were recently terminated from Social Security Disability/SSI disability benefits who claim continued incapacity may continue to be exempt as incapacitated while the necessary information is being secured and submitted to the MEU. If the client fails to cooperate with the MEU without good cause or refuses to cooperate, the exemption on the basis of incapacity ends.
- (d) Period of Incapacity for Families First.
 1. Verification of continued incapacity must be made at the end of the MEU approval period if continued incapacity is claimed.
 2. Reserved for future use.
 3. For an active incapacity exemption denied by the MEU, the exemption will be terminated as soon as the recipient is notified.
 4. If there is any indication the client is no longer incapacitated, the complete medical file will be resubmitted to MEU with current medical-social information including the facts which indicate that incapacity no longer exists.
- (5) An individual for whom an incapacity determination is pending.
- (6) An individual who is age sixty-five (65) or older.
- (7) An individual who is age sixty (60) or over as of July 1, 2007. If the participant leaves Families First after their sixtieth (60th) birthday and returns to the program before their sixty-fifth (65th) birthday and meets no other exemption criteria, the individual will have a work requirement.
- (8) An individual who is needed in the home to care for an in-home relative who is disabled as determined by a physician or a licensed or certified psychologist, and no other appropriate member of the household is available to provide the needed care. This exemption does not apply if the ill or incapacitated family member is attending school full-time.
- (9) An individual who is the caretaker of a child under age 16 weeks.
- (10) Reserved for future use.

(Rule 1240-1-49-.02, continued)

Authority: T.C.A. §§4-5-201 et seq., 4-5-202, 4-5-209, 71-1-105, 71-3-152, 71-3-154, and 71-3-154(h)(3)(A)-(G), 71-3-158(d)(2)(D); 42 U.S.C. §§ 601 et seq., 42 U.S.C. § 602; 42 U.S.C. § 607(c), (d, and (e); 42 U.S.C. § 608; 42 U.S.C. § 608(b); 42 U.S.C. § 609, 42 USC §1315(a); Public Acts of 1996, Chapter 950, 45 CFR 233.90(c)(iv), and 45 CFR 250.30, §1115 of the Social Security Act 45 C.F.R. § 260.30; 45 C.F.R. § 260.31; 45 C.F.R. 233.90, 45 C.F.R. § 261.2(b) through (m); 45 C.F.R. § 261.2(n); Deficit Reduction Act 2005 (Pub. L. 109-171 §§ 7101 and 7102, February 8, 2006); 71 Federal Register 37454 (June 29, 2006); and Acts 2007, Chapter 31. **Administrative History:** Original rule filed December 2, 1996; effective February 15, 1997. Amendment filed July 5, 2002; effective September 18, 2002. Public necessity rule filed July 2, 2007; expired December 14, 2007. Amendment filed October 1, 2007; effective December 15, 2007.

1240-1-49-.03 FAMILIES FIRST WORK REQUIREMENT PROVISIONS.

- (1) An individual, unless otherwise exempt, will be required to participate in work or work-related activities for thirty (30) hours per week as set forth in his/her Personal Responsibility Plan (PRP). At least twenty (20) hours must be spent working in core activities; the remaining ten (10) hours must be spent in core or non-core activities.
- (2) Activities that will be included as a part of the Families First work requirements include:
 - (a) Core Activities. Core Activities must be used to meet the first twenty (20) hours of the work requirement and can be used to meet the entire work requirement. The use of core activities to meet the Families First work requirement is subject to allowances or restrictions on these activities, as defined by federal law and regulation. Unless expanded through federal law or regulation, core activities are:
 1. Unsubsidized Employment.
 2. Job search and job readiness assistance.
 3. Work Experience.
 4. Community Service.
 5. Vocational Education.
 6. On-the-job training.
 7. Subsidized work. Families First participants can be placed in private or public sector subsidized work positions.
 - (b) Non-core Activities. Non-core activities can be used to fulfill up to ten (10) hours of the Families First work requirement as long as the recipient is engaged in twenty (20) hours of core activities. The use of non-core activities to meet the Families First work requirement is subject to allowances or restrictions on these activities, as defined by federal law and regulation. Unless expanded through federal law or regulation, non-core activities are:
 1. Job Skills Training Directly Related to Employment.
 2. Education Directly Related to Employment.
 3. Satisfactory attendance at secondary school or in a GED course, for those who do not yet have a high school diploma.
 - (c) Reserved for future use.

(Rule 1240-1-49-.03, continued)

- (d) Reserved for future use.
- (e) Reserved for future use.
- (f) Reserved for future use.
- (g) Reserved for future use.
- (h) Reserved for future use.
- (i) Reserved for future use.
- (j) Reserved for future use.
- (k) Reserved for future use.
- (3) Reserved for future use
- (4) The Families First work requirement can be met through satisfactory attendance at secondary school, in the case of a minor parent recipient who:
 - (a) has not completed secondary school; and
 - (b) is a caretaker who is nineteen (19) years of age or younger.
- (5) A minor parent who is eligible as a dependent child must attend school. Failure to comply with this requirement will result in the needs of the non-compliant individual being removed from the grant.
- (6) A caretaker who is in the residential program at Renewal House is in compliance with the Families First work requirement if she is in good standing with Renewal House program requirements.
- (7) Participation in Vocational Rehabilitation services will meet the Families First work requirement.

Authority: T.C.A. §§4-5-201 et seq., 4-5-202, 4-5-209, 71-1-105, 71-3-152, 71-3-153 and 71-3-154; 71-3-158(d)(2)(D); 42 U.S.C. §§ 601 et seq., 42 U.S.C. § 602, 42 U.S.C. § 607(c), (d)(1) through (12) and (e), 42 U.S.C. § 608, 42 U.S.C. § 609; Public Acts of 1996, Chapter 950, and 45 CFR 250.30 through 32; 45 CFR 234.60, §1115 of the Social Security Act; 45 C.F.R. § 260.30, 45 C.F.R. § 260.31, 45 C.F.R. § 261.2(b) through (m), 45 C.F.R. § 261.2(n), 45 C.F.R. § 261.10, 45 C.F.R. § 261.30, 45 C.F.R. § 261.31 and 45 C.F.R. § 261.32; Deficit Reduction Act 2005 (Pub. L. 109-171 §§ 7101 and 7102, February 8, 2006); 71 Federal Register 37454 (June 29, 2006); and Acts 2007, Chapter 31. **Administrative History:** Original rule filed December 2, 1996; effective February 15, 1997. Public necessity rule filed July 2, 2007; expired December 14, 2007. Amendment filed October 1, 2007; effective December 15, 2007.

1240-1-49-.04 FAILURE TO COMPLY, GOOD CAUSE, AND SANCTIONS.

- (1) A Families First participant who is required to meet the work requirement, who fails, without good cause, to participate in the program, will be sanctioned. When the non-exempt caretaker or other parent in a two-parent unit in the Families First assistance group fails or refuses to comply with the work requirement in the caretaker's Personal Responsibility Plan, and he/she does not have good cause for failure to comply, the entire assistance group will be ineligible for cash assistance until compliance.
 - (a) Attendance Standards. Participants will be sanctioned for unexcused absences. A participant's first unexcused absence is considered non-compliance and is grounds for sanction. The DHS

(Rule 1240-1-49-.04, continued)

worker will determine whether an absence is excused or unexcused. The participant will have the opportunity to claim a good cause for an absence during the conciliation process. Excused absences are never grounds for sanction.

- (b) Good Cause. The DHS worker is responsible for determining good cause any time she/he learns that a Families First participant has failed or refused to cooperate, failed to make satisfactory progress in the required work activities, failed to meet minimum attendance standards, refused to accept suitable employment, or quit employment. Good cause reasons include:
 - 1. Recipient is determined through medical evidence to be physically or mentally unable to perform the work requirement assigned.
 - 2. Lack of child care.
 - 3. A serious household emergency.
 - 4. Meets a work requirement exemption criterion.
 - 5. Health or safety is at risk.
 - 6. Reserved for future use.
 - 7. Reserved for future use.
 - 8. Reserved for future use.
 - 9. Lack of transportation.
 - 10. Reserved for future use.
 - 11. Is actively seeking shelter from domestic violence or abuse, such as someone residing in a domestic violence or abuse shelter, or fleeing from immediate harm.
 - 12. There are other factors which exist that are clearly beyond the control of the participant.
- (c) Conciliation. An attempt to resolve the non-compliance will be made by the Department during the ten (10)-day adverse action period. The following conciliation guidelines will apply:
 - 1. If the participant contacts the DHS worker during the adverse action period and provides verification of good cause, the case will be reopened.
 - 2. If the participant contacts the DHS worker during the adverse action period, and does not have good cause, but wants to comply, he/she will be re-referred to a work activity and must comply for five (5) consecutive business days.
 - 3. Following the five-day compliance period, the case will be reopened.
 - 4. If the participant does not comply or does not want to comply, the case will remain closed, but the participant may reapply at any time. Compliance for five (5) days will be required prior to subsequent approval.
 - 5. If the participant contacts the DHS worker after the expiration of the ten (10)-day adverse action period, he/she must reapply.

(Rule 1240-1-49-.04, continued)

- (d) Sanctions. Refusal or failure, without good cause, by a non-exempt caretaker (including either parent/caretaker in a two-parent AG) to engage in the required work activities that are included in the caretaker's Personal Responsibility Plan will result in the application of sanctions.
 - 1. If the person to be sanctioned is the caretaker or in a two-parent AG, either parent, the entire assistance group is ineligible for the cash assistance payment.
 - 2. An individual who is not the head of household, who has not reached eighteen (18) years of age, who has a child who is at least sixteen (16) weeks of age in such person's care, and who has not successfully completed a high school education or its equivalent, will be removed from the Families First AG unless the individual participates in educational activities directed toward the attainment of a high school diploma or its equivalent.
 - (i) If the sanctioned individual in the previous paragraph (part 2 of this paragraph) is the only child in the AG, assistance may continue for the caretaker if the caretaker remains otherwise eligible.
 - 3. An individual who is the head of his/her household, who has not reached twenty (20) years of age, who has a child who is at least sixteen (16) weeks of age in such person's care, and who has not successfully completed a high school education or its equivalent, will be subject to sanction for his/her entire AG unless the individual participates in:
 - (i) Educational activities directed toward the attainment of a high school diploma or its equivalent; or
 - (ii) Thirty (30) hours of countable work activities as described in 1240-1-49-.03.
- (e) Length of Sanctions. If a Families First participant fails to comply with the work requirements without good cause, sanctions are applied for the following time periods:
 - 1. For non-compliance with the work requirement, the AG will be ineligible for Families First until the sanctioned person complies or becomes exempt.
 - 2. Reserved for future use.
 - 3. Reserved for future use.
 - 4. When an individual agrees to comply during the 10-day adverse action period and completes the required compliance period without an unexcused absence, eligibility will begin the first of the month after the last month benefits were received.
 - 5. When an individual agrees to comply anytime after the expiration of the 10-day adverse action period, a new application must be filed. If the required compliance period is completed within the 45-day processing period, eligibility will begin effective the date of application, provided all other conditions of eligibility are met. If the required compliance period is not completed due to the fault of the client within the 45-day processing period, the application will be denied.
 - 6. Reserved for future use.

Authority: T.C.A. §§4-5-201 *et seq.*, 4-5-202, 4-5-209, 71-1-105, 71-1-105(12), 71-3-151 through 71-3-165, 71-3-154(a), (d)(1)(B) and (C), (g) and (h), 71-3-157(c)(1) and (f), and 71-3-158(d)(2)(D); 42 U.S.C. §§ 601 *et seq.*, 42 U.S.C. § 602, 42 U.S.C. § 607(c)(2)(C), 42 U.S.C. § 607(c), (d)(1) through (12) and (e), 42 U.S.C. § 608, 42 U.S.C. § 608(a)(4) and 42 U.S.C. § 609; 42 U.S.C.A. § 1315; Federal Waiver of July 26, 1996; Acts of 1996, Chapter 950, and 45 CFR 250.34 through 250.36, §1115 of the Social Security Act, 45 C.F.R. § 260.30, 45 C.F.R. §

(Rule 1240-1-49-.04, continued)

260.31, 45 C.F.R. § 261.2(b) through (m), 45 C.F.R. § 261.2(n), 45 C.F.R. § 261.10, 45 C.F.R. § 261.30, 45 C.F.R. § 261.31 and 45 C.F.R. § 261.32; Deficit Reduction Act 2005 (Pub. L. 109-171 §§ 7101 and 7102, February 8, 2006); 71 Federal Register 37454 (June 29, 2006) and Acts 2007, Chapter 31. **Administrative History:** Original rule filed December 2, 1996; effective February 15, 1997. Amendment filed December 13, 2002; effective February 26, 2003. Amendment filed December 19, 2003; effective March 3, 2004. Public necessity rule filed July 2, 2007; expired December 14, 2007. Amendment filed October 1, 2007; effective December 15, 2007.

1240-1-49-.05 APPEALS AND HEARINGS. The Department of Human Services is responsible for hearing appeals on any disputed matter relating to Families First eligibility and amount of grant and any Families First work requirement dispute including but not limited to a referral to Families First service providers, effective participation in Families First work requirements, whether good cause for failure to participate exists, and imposition of sanctions. These appeals will be conducted according to appeal procedures set forth in Chapter 1240-5 and Title 4, Chapter 5, Part 3 of the Administrative Procedures Act and which shall not be more narrow than those in existence on August 31, 1996.

Authority: T.C.A. §§4-5-201 et seq., 4-5-202, 4-5-209, 4-5-301 et seq., 71-1-105, 71-3-152, 71-3-153 and 71-3-154; 71-3-158(d)(2)(D); 42 U.S.C. §§ 601 et seq., 42 U.S.C. § 602, 42 U.S.C. § 607(c)(2)(C), 42 U.S.C. § 607(c), (d)(1) through (12) and (e), 42 U.S.C. § 608, 42 U.S.C. § 608(a)(4) and 42 U.S.C. § 609; Public Acts of 1996, Chapter 950, Title 4, Chapter 5, Part 3, and 45 CFR 205.10 and 250.36, 45 C.F.R. 205.10, 45 C.F.R. § 260.30, 45 C.F.R. § 260.31, 45 C.F.R. § 261.2(b) through (m), 45 C.F.R. § 261.2(n), 45 C.F.R. § 261.10, 45 C.F.R. § 261.30, 45 C.F.R. § 261.31 and 45 C.F.R. § 261.32; Deficit Reduction Act 2005 (Pub. L. 109-171 §§ 7101 and 7102, February 8, 2006); 71 Federal Register 37454 (June 29, 2006) and Acts 2007, Chapter 31. **Administrative History:** Original rule filed December 2, 1996; effective February 15, 1997. Public necessity rule filed July 2, 2007; expired December 14, 2007. Amendment filed October 1, 2007; effective December 15, 2007.

1240-1-49-.06 VOLUNTARY QUIT.

- (1) When an applicant caretaker, including either parent in a two-parent AG, voluntarily quits a job without good cause within three months prior to the month of application, during the month of application, or during the application processing period, the application will be denied until the individual completes a five (5)-day compliance with the thirty (30) hour work requirement.
- (2) When a recipient caretaker, including either parent in a two-parent group, voluntarily quits a job without good cause, the assistance group will be terminated and will remain ineligible until the individual completes a five (5)-day compliance with the thirty (30) hour work requirement.
- (3) Good cause includes, but is not limited to:
 - (a) complications of pregnancy which render the mother incapacitated, as certified by a physician;
 - (b) the individual was required to return to work prior to the end of the 16 weeks of leave following the birth of a child, as provided for in the Tennessee Family Medical Leave Act;
 - (c) existing child care became unavailable and substitute child care could not be arranged, for reasons beyond the caretaker's control;
 - (d) transportation was unavailable and the caretaker submits evidence that substitute transportation could not be arranged;
 - (e) the caretaker was needed in the home to care for an ill or disabled family member;
 - (f) the employer refused to allow time off for the caretaker to attend to a temporary family emergency;
 - (g) the job paid less than minimum wage based on the number of hours actually worked;

(Rule 1240-1-49-.06, continued)

- (h) there was discrimination by the employer based on age, race, sex, color, handicaps, religious beliefs, national origins, or political beliefs;
 - (i) work demands or conditions rendered continued employment unreasonable;
 - (j) the caretaker accepted other employment with at least comparable gross wages; or
 - (k) the employee left a job in connection with patterns of employment in which workers frequently move from one employer to another; or
 - (l) Reserved for future use.
- (4) The assistance group may reapply before compliance, but eligibility will not be approved until compliance is met or the individual meets exemption criteria. An individual who has been sanctioned for quitting a job as head of one assistance group will carry the sanction with him/her to a new assistance group if he/she joins the new group as a parent/caretaker.
- (5) Reserved for future use.

Authority: T.C.A. §§4-5-201 et seq., 4-5-202, 4-5-209, 71-1-105, 71-1-105(12), 71-3-151 through 71-3-165, 71-3-154(a), (d), (g) and(h), 71-3-157(c)(1) and (f), and 71-3-158(d)(2)(D), 42 U.S.C. §§ 601 et seq., 42 U.S.C. § 602, 42 U.S.C. § 607(c), (d) and (e), 42 U.S.C. § 608, 42 U.S.C. § 608(b)(3), 42 U.S.C. § 609, 42 U.S.C.A. § 1315; Federal Waiver of July 26, 1996, 42 USC §1315(a), Acts of 1996, Chapter 950, and §1115 of the Social Security Act, 45 C.F.R. § 261.2, 45 C.F.R. § 261.10, 45 C.F.R. § 261.14, 45 C.F.R. § 261.30, 45 C.F.R. § 261.31, and 45 C.F.R. § 261.32; Deficit Reduction Act 2005 (Pub. L. 109-171 §§ 7101 and 7102, February 8, 2006); 71 Federal Register 37454 (June 29, 2006); and Acts 2007, Chapter 31. **Administrative History:** Original rule filed December 2, 1996; effective February 15, 1997. Amendment filed July 5, 2002; effective September 18, 2002. Amendment filed December 13, 2002; effective February 26, 2003. Public necessity rule filed July 2, 2007; expired December 14, 2007. Amendment filed October 1, 2007; effective December 15, 2007.

1240-1-49-.07 STRIKERS.

- (1) Definitions.
- (a) The term “strike” includes any strike or other concerted stoppage of work by employees (including a stoppage by reason of expiration of a collective bargaining agreement) and any concerted shutdown or other concerted interruption of operation by employees.
 - (b) The term “participating in a strike” means an actual refusal in concert with others to provide services to one’s employers.
- (2) Eligibility Factors.
- (a) If a parent with whom the children live is participating in a strike, the entire assistance group is ineligible for as long as the parent is on strike. The parent does not have to be a member of the assistance group to cause ineligibility.
 - (b) If an assistance group member other than a parent is participating in a strike, that individual is ineligible for assistance as long as she/he is on strike.
 - (c) If a payment of Families First benefits has already been made for any month(s) in which a parent or other assistance group member participated in a strike as of the last day of the month, the payment (or the individual’s share) for the entire month constitutes an overpayment subject to recovery.

(Rule 1240-1-49-.07, continued)

Authority: T.C.A. §§4-5-201 et seq., 71-1-105, Public Acts of 1996, Chapter 950, and 45 CFR 233.106.
Administrative History: Original rule filed December 2, 1996; effective February 15, 1997.

1240-1-49-.08 RESERVED FOR FUTURE USE.

Authority: T.C.A. §§4-5-201 et seq., 4-5-202, 4-5-209, 71-1-105, 71-1-105(12), 71-3-151 through 71-3-165, 71-3-154(d)(1)(B) and (C), 71-3-155; 71-3-157(c)(1), 71-3-158(d)(2)(D); 42 U.S.C. §§ 601 et seq., 42 U.S.C.A. § 1315; Federal Waiver of July 26, 1996; Deficit Reduction Act 2005 (Pub. L. 109-171 §§ 7101 and 7102, February 8, 2006); 71 Federal Register 37454 (June 29, 2006); and Acts 2007, Chapter 31. **Administrative History:** Original rule filed December 13, 2002; effective February 26, 2003. Public necessity rule filed July 2, 2007; expired December 14, 2007. Amendment filed October 1, 2007; effective December 15, 2007.

1240-1-49-.09 DIVERSION PROGRAM FOR FAMILIES WITH A ONE-TIME FINANCIAL NEED.

- (1) AGs who are eligible for Families First may receive the option of a one-time lump sum payment, if appropriate for the AG's needs and situation. The one-time lump sum payment would be received in lieu of ongoing, recurring Families First benefits. The one-time lump sum payment is available to AGs:
 - (a) Who meet residency and benefit history requirements, as defined by policy;
 - (b) Who do not have major barriers to employment as defined by policy;
 - (c) Whose caretaker is job ready, as defined by policy; and
 - (d) Who need only a one-time financial assistance payment to prevent the need for ongoing Families First benefits.
- (2) Acceptance of the diversion one-time payment will make the AG ineligible for Families First for one year.
- (3) Employed diversion AGs may receive up to three (3) months of Families First child care.
- (4) Early Return. An AG who received a diversion lump-sum payment may be eligible to return to Families First before the one year period of ineligibility is finished if:
 - (a) The caretaker becomes disabled or incapacitated.
 - (b) Receipt of Families First would prevent a child from being removed from the home by DCS.
 - (c) Receipt of Families First would prevent the Assistance Unit/AG from becoming homeless (as defined by policy).
 - (d) The caretaker begins caring for an in-home disabled relative who is not in school full-time.
 - (e) There is an immediate threat of domestic violence.

Authority: T.C.A. §§ 4-5-201 et seq., 4-5-202, 4-5-209, 71-1-105, 71-3-152, 71-3-153 and 71-3-154; 71-3-158(d)(2)(D); 42 U.S.C. §§ 601 et seq., 45 C.F.R. § 233.90; Deficit Reduction Act 2005 (Pub. L. 109-171 §§ 7101 and 7102, February 8, 2006); 71 Federal Register 37454 (June 29, 2006); and Acts 2007, Chapter 31. **Administrative History:** Original public necessity rule filed July 2, 2007; expired December 14, 2007. Amendment filed October 1, 2007; effective December 15, 2007.